

**EQC ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
SEPTEMBER 14, 2006**

BUREAU OF LAND AND WASTE MANAGEMENT

UST Enforcement

- 1) Order Type and Number: Consent Order 06-0199-UST
 Order Date: July 7, 2006
 Respondent: **Moore & Balliew Oil Co., Inc.**
 Facility: Six Mile Store & More, Inc.
 Location/Mailing Address: 302 N. Main St.
 Six Mile, SC 29682

 County: Pickens
 Previous Orders: None
 Permit/ID Number: 12078
 Violations Cited: UST Control Regulations, R.61-92,
 §280.40(a); R.61-92, §280.34(c).

Summary: Moore & Balliew Oil Company, Incorporated (Respondent), owns and operates underground storage tanks located at 302 North Main Street in Six Mile, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide an adequate release detection method; and, failure to supply records to the Department upon request.

Action: The Respondents corrected the violations within 30 days, and the civil penalty of six hundred dollars (**\$600.00**) was **suspended**.

- 2) Order Type and Number: Consent Order 06-0277-UST
 Order Date: July 7, 2006
 Respondent: **Racetrac Petroleum, Inc.,
 and Shree Gajanan, Inc.**
 Facility: Racetrac 976
 Location/Mailing Address: 2561 Cherry Rd.
 Rock Hill, SC 29732

 County: York
 Previous Orders: None
 Permit/ID Number: 09388
 Violations Cited: UST Control Regulations, R.61-92,
 §280.20(c)(1)(ii); R.61-92, §280.31(c); R.61-92, §280.34(c).

Summary: Racetrac Petroleum, Incorporated (Respondent), owns and Shree Gajanan, Incorporated (Respondent) operates underground storage tanks located at 2561 Cherry Road in Rock Hill, South Carolina. The Respondents have violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to use an adequate overfill prevention system in a new underground storage tank system; failure to inspect impressed current system every 60 days; and, failure to provide records to the Department upon request.

Action: The Respondent corrected the violations and paid the civil penalty of five hundred dollars (**\$600.00**).

- 3) Order Type and Number: Consent Order 06-0303-UST
 Order Date: July 7, 2006
 Respondent: **Ambica, Inc.**
 Facility: Herlong BP
 Location/Mailing Address: 409 S. Herlong Ave.
 Rock Hill, SC 29732

 County: York
 Previous Orders: None
 Permit/ID Number: 18910
 Violations Cited: UST Control Regulations, R.61-92,
 §280.40(a); R.61-92, §280.34(c).

Summary: Ambica, Incorporated (Respondent), owns and operates underground storage tanks located at 409 South Herlong Avenue in Rock Hill, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide an adequate release detection method; and, failure to supply records to the Department upon request.

Action: The Respondents corrected the violations within 30 days, and the civil penalty of one thousand dollars (**\$1,000.00**) was **suspended**.

- 4) Order Type and Number: Consent Order 06-0359-UST
 Order Date: July 21, 2006
 Respondent: **Cummings Oil Co., Inc.**
 Facility: Edistonian Convenience Store
 Location/Mailing Address: 406 Hwy 174
 Edisto Is., SC 29483

 County: Colleton
 Previous Orders: 05-0679-UST (\$400 suspended)
 Permit/ID Number: 10406

Violations Cited:
§280.52.

UST Control Regulations, R.61-92,

Summary: Cummings Oil Company, Incorporated (Respondent), owns and operates underground storage tanks located at 406 Highway in Edisto Island, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to investigate and confirm a suspected release within a reasonable period of time.

Action: The Respondents corrected the violation, and agreed to pay the civil penalty of six hundred dollars (**\$600.00**).

5) Order Type and Number: Consent Order 06-0482-UST
Order Date: July 25, 2006
Respondent: **Crudup Oil Company**
Facility: Townville Shell
Location/Mailing Address: 6600 Hwy 24
Townville, SC 29689
County: Anderson
Previous Orders: None
Permit/ID Number: 00522
Violations Cited: UST Control Regulations, R.61-92,
§280.41(a); R.61-92, §280.34(c).

Summary: Crudup Oil Company owns and operates underground storage tanks located at 6600 Highway 24 in Townville, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide adequate release detection method for an underground storage tank system; and, failure to supply records to the Department upon request.

Action: The Respondent has agreed to correct the violations and pay the civil penalty in the amount of one thousand dollars (**\$1,000.00**).

6) Order Type and Number: Consent Order 06-0470-UST
Order Date: July 25, 2006
Respondent: **Bill F. Raulerson d/b/a Lewis & Raulerson**
Facility: Friendly Express 81
Location/Mailing Address: 574 Independence Blvd.
Hardeeville, SC 29927
County: Jasper
Previous Orders: None
Permit/ID Number: 18695

Violations Cited:
§280.20(c)(1)(ii).

UST Control Regulations, R.61-92,

Summary: Bill Raulerson d/b/a Lewis & Raulerson owns and operates underground storage tanks located at 574 Independence Blvd. in Hardeeville, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to use an adequate prevention system in a UST.

Action: The Respondent has corrected the violation and has paid the civil penalty in the amount of five hundred dollars **(\$500)**.

7) Order Type and Number: Consent Order 06-0337-UST
Order Date: July 26, 2006
Respondent: **SEL Properties, LLC**
Facility: Goodfellas
Location/Mailing Address: 1410 Edgefield St.
Greenwood, SC 29646
County: Greenwood
Previous Orders: AO 03-4198-UST (\$2,274)
Permit/ID Number: 12678
Violations Cited: UST Control Regulations, R.61-92,
§280.31(b); R.61-92, §280.34(c).

Summary: SEL Properties (Respondent), owns underground storage tanks located at 1410 Edgefield Street in Greenwood, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to have the corrosion protection system inspected by a qualified tester every 3 years; and, failure to supply records to the Department upon request.

Action: The Respondents has agreed to correct the violations and pay the civil penalty of six hundred dollars **(\$600.00)**.

8) Order Type and Number: Consent Order 06-0495-UST
Order Date: July 26, 2006
Respondent: **Kimberly C. Perry**
Facility: Sav Way 3
Location/Mailing Address: 800 W. Main St.
W. Pelzer, SC 29669
County: Anderson
Previous Orders: None
Permit/ID Number: 00553

Violations Cited: UST Control Regulations, R.61-92, §280.40(a); R.61-92, §280.34(c).

Summary: Kimberly C. Perry d.b.a Sav Way 3 (Respondent) owns and operates underground storage tanks located at 800 West Main Street in West Pelzer, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide an adequate release detection method; and, failure to supply records to the Department upon request.

Action: The Respondent agreed to correct the violations and paid the civil penalty of one thousand dollars (\$1,000.00).

9) Order Type and Number: Administrative Order 05-0425-UST
Order Date: January 23, 2006
Respondent: **Nicole Coulliard**
Facility: Tee Off Deli of Myrtle Beach
Location/Mailing Address: 8980 Hwy 707
Myrtle Beach, SC 29888
County: Horry
Previous Orders: None
Permit/ID Number: 10554
Violations Cited: UST Control Regulations, R.61-92, §280.31(a); R.61-92, §280.40(a); R.61-92, §280.50(b); R.61-92, §280.65; R.61-92, §280.93(a); R.61-92, §280.34(c); R.61-92, §280.110(c).

Summary: Nicole Coulliard (Respondent), owns and operates underground storage tanks located at 8980 Highway 707 in Myrtle Beach, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to maintain corrosion protection equipment continuously; failure to provide an adequate release detection method; failure to report an unexplained presence of water in the Kerosene tank; failure to conduct and submit an assessment report for a release reported January 29, 2004; failure to demonstrate financial responsibility; and, failure to supply records to the Department upon request.

Action: The Department issued an Administrative Order with a civil penalty of six thousand one hundred twenty dollars (\$6,120.00) when it became clear that the owner/operator did not intend to enter into a Consent Order or come into compliance by providing a copy of current release detection records; proof that the kerosene tank and sumps have been emptied; results of the investigation of water in the kerosene tank; a copy of the initial groundwater assessment report; and, submitting financial responsibility documentation for the kerosene tank. The Administrative Order was appealed. However, the Respondent failed to submit

the filing fee after notification of its requirement by the ALC, and the appeal was not processed.

BUREAU OF WATER

Drinking Water Enforcement

- 10) Order Type and Number: Consent Order 06-106-DW
 Order Date: June 30, 2006
 Respondent: **Swami Investments, Inc.**
 Facility: Comfort Inn
 Location/Mailing Address: P.O. Box 544
 Hardeeville, S.C. 29927
 County: Jasper
 Previous Orders: None
 Permit/ID Number: 27-027B and 27-028D
 Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)
 and 61-51(K)(1)(d)

Summary: Swami Investments, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of the swimming pool Permit No. 27-027B and spa Permit No. 27-028D. The Respondent has violated the Public Swimming Pool Regulations as follows: failure to properly operate and maintain the swimming pool and spa.

Action: The Respondent has agreed to: operate and maintain the public swimming pool and spa in accordance with all applicable State laws and regulations and pay a civil penalty in the amount of one thousand six hundred eighty dollars (**\$1,680.00**). The civil penalty has been paid.

- 11) Order Type and Number: Consent Order 06-107-DW
 Order Date: July 7, 2006
 Respondent: **Grande Ocean Resort Owners Association, Inc.**
 Facility: Marriott Grande Ocean
 Location/Mailing Address: 51 S. Forest Beach
 Hilton Head Island, S.C. 29928
 County: Beaufort
 Previous Orders: None
 Permit/ID Number: 07-451D
 Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)
 and 61-51(K)(1)(d)

Summary: Grande Ocean Resort Owners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of the swimming pool Permit No. 07-451D. The Respondent has violated the Public Swimming Pool Regulations as follows: failure to properly operate and maintain the swimming pool.

Action: The Respondent has agreed to: operate and maintain the public swimming pool in accordance with all applicable State laws and regulations and pay a civil penalty in the amount of one thousand six hundred eighty dollars (**\$1,680.00**). The civil penalty has been paid.

12) Order Type and Number: Consent Order 06-112-DW
Order Date: June 30, 2006
Respondent: **Lexington/Richland School District 5**
Facility: Oak Pointe Elementary School
Location/Mailing Address: P.O. Box 938
Ballentine, S.C. 29002
County: Richland
Previous Orders: None
Permit/ID Number: 4010001
Violations Cited: S.C. Code Ann. Regs. 61-58.1(B)(1)

Summary: Lexington/Richland School District 5 (Respondent) is responsible for the proper installation of the drinking water distribution lines that serve the students and employees of Oak Pointe Elementary School. The Respondent has violated the State Safe Drinking Water Act and the State Primary Drinking Water Regulations as follows: failure to obtain a permit to construct prior to the construction of water distribution lines.

Action: The Respondent has agreed to: comply with all pertinent State rules and regulations concerning public water systems, and pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**).

13) Order Type and Number: Consent Order 06-116-DW
Order Date: June 21, 2006
Respondent: **Woodside Plantation Country Club, Inc.**
Facility: Woodside Plantation Country Club
Location/Mailing Address: 3001 Countyside Blvd.
Clearwater, FL. 3761-2799
County: Aiken
Previous Orders: 04-104-DW (\$400)
Permit/ID Number: 02GC007

Violations Cited:

S.C. Code Ann. Regs. 49-4-50(A)

Summary: Woodside Plantation Country Club, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a surface water withdrawal system. The Respondent has violated the South Carolina Surface Water Withdrawal and Reporting Act as follows: failure to submit a record of the annual quantity of surface water withdrawn for the 2005 reporting period by January 30, 2006.

Action: The Respondent has agreed to: operate and maintain its surface water withdrawal system and report surface water withdrawal in accordance with State regulations and pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**).

Water Pollution Enforcement

- 14) Order Type and Number: Consent Order 06-105-W
Order Date: July 18, 2006
Respondent: **Win-Win, LLC**
Facility: Yogi Farms Subdivision
Location/Mailing Address: 3104 Commerce Drive
Richburg, S.C. 29728
County: Spartanburg
Previous Orders: None
Permit/ID Number: SCR10C158
Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987)
and 24 S.C. Code Ann. Regs. 61-9.122.26(a)(1) (Supp. 2005)

Summary: Win-Win, LLC (Respondent) is responsible for construction activities at the Yogi Farms Subdivision. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: initiated land-disturbing activities prior to obtaining a permit and discharged sediment into the environment, including waters of the State.

Action: The Respondent has agreed to: submit a revised permit application; submit a report completed by a South Carolina Registered Professional Engineer certifying that all sediment and erosion control devices are installed and functioning properly; and pay a civil penalty in the amount of nineteen thousand nine hundred dollars (**\$19,900.00**) in installments. The first installment has been paid.

- 15) Order Type and Number: Consent Order 06-110-W
Order Date: July 18, 2006

Respondent: **City of Anderson**
Facility: Generostee Creek WWTF
Location/Mailing Address: 401 S. Main St.
Anderson, S.C. 29624
County: Anderson
Previous Orders: 02-006-W (\$0) and 04-006-W
(\$1400)
Permit/ID Number: SC0023752
Violations Cited: S.C. Code Ann. § 48-1-110(d) and
24 S.C. Code Ann. Regs. 61-9.122.41(a)(1) (Supp.2005)

Summary: The City of Anderson (Respondent) owns and is responsible for the proper operation and maintenance of the Generostee Creek wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to submit a macro invertebrate assessment.

Action: The Respondent has agreed to: conduct a macro invertebrate assessment in accordance with the National Pollutant Discharge Elimination System (NPDES) Permit and pay a civil penalty in the amount of four thousand nine hundred dollars (**\$4,900.00**). The civil penalty has been paid.

16) Order Type and Number: Consent Order 06-114-W
Order Date: July 11, 2006
Respondent: **Richland County Department of Public Works**
Facility: Broad River WWTF
Location/Mailing Address: 3500 Fernandina Road
Columbia, S.C. 29210
County: Richland
Previous Orders: 00-235-W (\$4,200) , 02-174-W
(\$2,750) and 04-152-W (\$1,400)
Permit/ID Number: SC0046621
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (d) (Supp. 2005)

Summary: Richland County Department of Public Works (Respondent) is responsible for the operation and maintenance of the Broad River wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to comply with the effluent limits for biochemical oxygen demand percent removal and whole effluent toxicity.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a revised permit application addressing final revisions to the construction permit; begin construction to upgrade the WWTF; complete construction of the WWTF upgrade; and pay a civil penalty in the amount of four thousand two hundred dollars (**\$4,200.00**).

- 17) Order Type and Number: Consent Order 06-117-W
 Order Date: July 11, 2006
 Respondent: **Sharma Petroleum LLC**
 Facility: Sharma Petroleum LLC
 Location/Mailing Address: P.O. Box 277
 Blacksburg, S.C. 29702

 County: Cherokee
 Previous Orders: None
 Permit/ID Number: SC0042196
 Violations Cited: S.C. Code Ann. § 48-1-110(d)
 (Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.41(a)(1) (Supp 2005)

Summary: Sharma Petroleum, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to comply with the effluent discharge limits of the National Pollutant Discharge Elimination System (NPDES) Permit for total residual chlorine (TRC).

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a detailed summary of corrective actions taken to date to ensure compliance with effluent discharge limits; and pay a **suspended penalty** in the amount of four thousand two hundred dollars (**\$4,200.00**) if it fails to meet any requirement of this Order.

- 18) Order Type and Number: Consent Order 06-118-W
 Order Date: July 14, 2006
 Respondent: **TCH Properties, LLC**
 Facility: Silver Lake MHP
 Location/Mailing Address: 3946 Charleston Highway
 West Columbia, S.C. 29172

 County: Lexington
 Previous Orders: None
 Permit/ID Number: SC0031321
 Violations Cited: S.C. Code Ann. § 48-1-110(d)
 (Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.41(a)(1) and (e)
 (Supp. 2005)

Summary: TCH Properties, LLC (Respondent) owns and is responsible for the proper operation and maintenance of the Silver Lake Mobile Home Park (MHP) wastewater treatment facility (WWTF) (Site). The Respondent has failed to comply with the permitted discharge limits for fecal coliform (FC).

Action: The Respondent has agreed to: submit 3 copies of plans, specifications and an administratively and technically complete application for a Permit to Construct an upgrade at the Site to build a chlorination/de-chlorination chamber and pay a civil penalty in the amount of one thousand five hundred dollars (**\$1,500.00**) in installments.

19) Order Type and Number: Consent Order 06-119-W
Order Date: July 26, 2006
Respondent: **Mr. Ashok Patel**
Facility: Lakeside Inn
Location/Mailing Address: 1801 Highway 29 N
Anderson, S.C. 29621
County: Oconee
Previous Orders: None
Permit/ID Number: ND0067237
Violations Cited: S.C. Code Ann § 48-1-110(d) (Supp. 2005) and 24 S.C. Code Ann. Regs. 61.9-122.41(a) and (e) (Supp. 2005)

Summary: Mr. Ashok Patel (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) serving the Lakeside Inn (Site), also known as Econo Lodge and Livingston Inn. The Respondent has violated the Pollution Control Act, the Water Pollution Control Permit Regulations and the National Pollutant Discharge Elimination System (NPDES) Permit as follows: failed to properly operate and maintain all components and equipment associated with a WWTF as required by the NPDES Permit.

Action: The Respondent has agreed to: comply with all permitting and operating requirement in accordance with the NPDES permit and Department regulations and pay a civil penalty in the amount of one thousand three hundred and eighty-eight dollars (**\$1,388.00**). All requirements of the order have been met, and the civil penalty has been paid.

20) Order Type and Number: Consent Order 06-120-W
Order Date: July 18, 2006
Respondent: **Gray and Willis, Inc.**
Facility: Wimberly Farm Subdivision
Location/Mailing Address: 10 Pine Knoll Drive
Easley, S.C. 29642

County: Pickens
Previous Orders: None
Permit/ID Number: SCR10A139/39-04-12-01
Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987)
and 24 S.C. Code Ann. Regs. 61-9.122.41 (a) and (e) (Supp 2004)

Summary: Gray and Willis, Inc. (Respondent) owns and is responsible for land clearing and construction activities at the Wimberly Farm Subdivision (Site). The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: allowed the discharge of sediment into the environment, including waters of the State and failed to properly install, operate and maintain sediment and erosion control devices as required by the approved Site plans.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a report signed and stamped by a South Carolina Registered Professional Engineer certifying that all sediment and erosion control devices have been installed and are functioning properly; submit a report certifying that all detention ponds have been installed properly and that the proper trapping capacities have been maintained; and pay a civil penalty in the amount of twelve thousand eight hundred forty dollars and sixty-two cents (**\$12,840.62**).

21) Order Type and Number: Consent Order 06-121-W
Order Date: July 15, 2006
Respondent: **City of Sumter**
Facility: Pocotaligo River WWTF
Location/Mailing Address: P.O. Box 1449
Sumter, S.C. 29154
County: Sumter
Previous Orders: 01-253-W (\$4,200) and 04-130-W (\$3,000)
Permit/ID Number: SC0027707
Violations Cited: S.C. Code Ann. § 48-1-110(d), 48-1-130 (Supp. 2005), and 24 S.C. Code Ann. Regs. 61-9.122.41(a)(1) (Supp. 2005)

Summary: The City of Sumter (Respondent) owns and is responsible for the proper operation and maintenance of the Pocotaligo River wastewater treatment facility (WWTF). The Respondent violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: failed to comply with Consent Order 01-253-W and with the permitted discharge limits for whole effluent toxicity (WET).

Action: The Respondent has agreed to: submit a plan for the whole effluent toxicity (WET) testing of the many influent streams entering the WWTF;

initiate a series of WET tests beginning on the first full month following the date of execution of this Order with one test conducted every 2 weeks for a period not to exceed 1 year using Ceriodaphnia dubia; if, at any time during the accelerated testing period specified, the effluent from the WWTF is in violation of the Respondent's WET permit limits, conduct a Toxicity Reduction Evaluation (TRE); and pay a civil penalty in the amount of twenty one thousand six hundred dollars **(\$21,600.00)**.

22)	<u>Order Type and Number:</u>	Consent Order 06-122-W
	<u>Order Date:</u>	July 18, 2006
	<u>Respondent:</u>	High Hills Rural Water Company, Inc.
	<u>Facility:</u>	Harwood MHP WWTF
	<u>Location/Mailing Address:</u>	2720 Peach Orchard Road Dalzell, S.C. 29040
	<u>County:</u>	Sumter
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	SC0031704
	<u>Violations Cited:</u>	24 S.C. Code Ann. Regs. 61-9.122.21(d)(2) (Supp2005)

Summary: High Hills Rural Water Company, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) serving the Harwood mobile home park (MHP) (Site). The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: failed to submit an administratively complete application for renewal of its National Pollutant Discharge Elimination System (NPDES) Permit at least 180 days prior to the expiration date of the permit.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations and pay a civil penalty in the amount of four thousand dollars **(\$4,000.00)**.

23)	<u>Order Type and Number:</u>	Consent Order 06-123-W
	<u>Order Date:</u>	July 26, 2006
	<u>Respondent:</u>	Riddle Investments, LLC
	<u>Facility:</u>	Outback Steakhouse, Easley
	<u>Location/Mailing Address:</u>	223 Siloam Road, Suite E Easley, S.C. 29642
	<u>County:</u>	Pickens
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	SCR10B844

Violations Cited:
122.26(a)(1) (Supp. 2005)

24 S.C. Code Ann Regs. 61.9-

Summary: Riddle Investments, LLC. (Respondent) owns and is responsible for the proper operation and maintenance of its wastewater treatment facility (WWTF) serving its textile printing, dyeing, and finishing facility. The Respondent has violated the Pollution Control Act, the Water Pollution Control Permit Regulations, and the National Pollutant Discharge Elimination System (NPDES) Permit as follows: failed to obtain a permit prior to initiating land-disturbing activities at the Site.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with the NPDES permit and Department regulations and pay a civil penalty in the amount of four thousand dollars (\$4,000.00). All requirements of the order have been met, and the civil penalty has been paid.

24) Order Type and Number: Consent Order 06-126-W
Order Date: July 21, 2006
Respondent: **Turnberry Homes, LLC**
Facility: Lakeshore SD on Lake Wylie
Location/Mailing Address: 10710 Sikes Place, Suite 100
Charlotte, N.C. 28277
County: York
Previous Orders: None
Permit/ID Number: SCR10B058
Violations Cited: S. C. Code Ann § 48-1-90(a)(1) (1987), 25 S.C. Code Ann. Regs. 61-68(E)(5)(d) (Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e) (Supp. 2005)

Summary: Turnberry Homes, LLC (Respondent) is responsible for the construction activities at the Lakeshore Subdivision (SD) on Lake Wylie (Site). The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: failure to operate and maintain all facilities and systems of treatment and control and discharged sediment into the environment, including waters of the State.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with all applicable State and Federal laws and regulations; submit a report, completed and stamped by a South Carolina Registered Professional Engineer, certifying that the installation of the necessary storm water and sediment control devices are complete and in accordance with the approved plans and specifications; and pay a civil penalty in the amount of seventeen thousand two hundred dollars (\$17,200.00).

25) Order Type and Number: Consent Order 06-127-W
 Order Date: July 21, 2006
 Respondent: **Lexington School District 1**
 Facility: Pelion Schools WWTF
 Location/Mailing Address: P.O. Box 1869
 Lexington, S.C. 29071
 County: Lexington
 Previous Orders: None
 Permit/ID Number: ND0013561
 Violations Cited: S.C. Code Ann. § 48-1-110(d)
 (Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.505.41(a) (Supp 2005)

Summary: Lexington County School District 1 (Respondent) owns and is responsible for the proper operation and maintenance of its Pelion Schools wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: the Respondent failed to comply with the effluent discharge limits of the Land Application Permit (LAP) for biochemical oxygen demand (BOD).

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a preliminary engineering report (PER) detailing upgrades necessary to meet the effluent discharge limits of the LAP; submit plans, specifications and an administratively complete application for a permit to construct all necessary upgrades; and pay a civil penalty in the amount of one thousand four hundred dollars (**\$1,400.00**).

26) Order Type and Number: Consent Order 06-128-W
 Order Date: July 25, 2006
 Respondent: **JACABB Utilities, LLC**
 Facility: Forest Hills SD WWTF
 Location/Mailing Address: 210 W. North Second Street
 Seneca, S.C. 29678
 County: Anderson
 Previous Orders: None
 Permit/ID Number: SC0028525
 Violations Cited: S.C. Code Ann. § 48-1-50(3) (Supp.
 2005)

Summary: JACABB Utilities, LLC (Respondent) owns and is responsible for the proper operation and maintenance of the Forest Hills Subdivision (SD) wastewater treatment facility (WWTF).

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a preliminary engineering report (PER) detailing

upgrades necessary to meet the effluent discharge limits of the National Pollutant Discharge Elimination System (NPDES) Permit; submit plans, specifications and an administratively complete application for a permit to construct all necessary upgrades and construct the necessary upgrades. Two **stipulated** penalties have been assessed. One for five thousand dollars (**\$5,000.00**) should the Respondent fail to comply with the compliance schedule and the second for one thousand dollars (**\$1,000.00**) per effluent violation should the Respondent fail to upgrade the WWTF.

- 27) Order Type and Number: Consent Order 06-129-W
 Order Date: July 26, 2006
 Respondent: **Cecil M. Lachicotte**
 Facility: Unpermitted Mine
 Location/Mailing Address: 101 Jungle Road
 Edisto Island, S.C. 29438

 County: Charleston
 Previous Orders: None
 Permit/ID Number: N/A
 Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987),
 48-1-110(a)(3) (Supp. 2005), 24 S.C. Code Ann. Regs. 61-9.122.21(a)(3)
 (Supp. 2005), and 25 S.C. Code Ann. Regs. 61-68(E)(5)(d) (Supp. 2005)

Summary: Cecil M. Lachicotte (Respondent) owns and is responsible for the proper operation and maintenance of a mining operation (Site). The Respondent has violated the Pollution Control Act, Water Pollution Control Permit Regulations, and the Water Classifications and Standards as follows: discharged storm water and mine pit dewatering into the environment, including waters of the State; failed to keep waters of the State free of deleterious materials that interfere with classified or existing water uses; failed to submit a notice of intent (NOI) for coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit SCG730000 prior to initiating the mine pit dewatering discharges, and failed to properly monitor the discharge.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit an NOI for coverage under an NPDES Permit or submit a reclamation and recovery plan for the mine; and pay a civil penalty in the amount of five thousand six hundred seventy-five dollars (**\$5,675.00**).

Joint Orders

- 28) Order Type and Number: Consent Order 06-113-W, DW
 Order Date: July 14, 2006
 Respondent: **Summit Realty and Development
 of Sumter, Inc.**

Facility: Stillwater Subdivision Phase I
Location/Mailing Address: 1770 Camden Highway
 Sumter, S.C. 29153
County: Sumter
Previous Orders: None
Permit/ID Number: 28,869-WW and 15,209-WS
Violations Cited: S.C. Code Ann. § 44-55-40(C)
 (2002) and 48-1-110(a)(1) and (3) (Supp. 2005), 25A S.C. Code Ann.
 Regs. 61-58.1.K(1) (Supp. 2005), and 24 S.C. Code Ann. Regs. 61-
 9.122.21(a)(3) (Supp. 2005)

Summary: Summit Realty and Development of Sumter, Inc. (Respondent) is responsible for the operation of a public water system (PWS) and a wastewater collection system (WWCS). The Respondent has violated the State Safe Drinking Water Act, State Primary Drinking Water Regulations, Pollution Control Act and the Water Pollution Control Permit Regulations as follows: placed the PWS and the WWCS into operation without the appropriate approvals from the Department.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit an administratively complete application including “as-built” plans and specification for the renewal of the construction permit for the PWS; submit a letter requesting an extension of the end construction date on the construction permit for the WWCS; submit a written request for final approval of the PWS and the WWCS; and pay a civil penalty in the amount of two thousand one hundred dollars (\$2,100.00).

BUREAU OF AIR QUALITY

29) Order Type and Number: Consent Order 06-034-A
Order Date: July 11, 2006
Respondent: **Wright Environmental Consulting, Inc.**
Facility: Marine Corp Recruit Depot
 (Beaufort) and Former Daycare
 Facility (Richland).
Location/Mailing Address: 144 Harbison Blvd., Suite D
 Columbia, SC 29212
County: Beaufort, Richland
Previous Orders: None
Permit/ID Number: ASB-748; N034210; N0510452
Violations Cited: U.S. EPA 40 CFR 61.145(b),
 Standard for Demolition and Renovation, and South Carolina Air
 Pollution Control Regulation 61-86.1

Summary: Wright Environmental Consulting, Inc. (Respondent) located in Columbia, South Carolina is a licensed asbestos abatement contractor. The Respondent has violated the Pollution Control Act and South Carolina Air Pollution Control Regulations, as follows: failure to update the start date of the project prior to the notification start date in the initial notification; failure to ensure that a licensed supervisor was on-site while abatement activity was being performed; failure to ensure water from inside the contained work area was not allowed to drain outside of the work area; failure to update the project notification when non-friable asbestos-containing transite siding was handled in a manner to cause it to become regulated; failure to install critical barriers on the HVAC system and electrical outlets; failure to cover non-movable objects in the work area; failure to ensure polyethylene sheeting was attached securely and properly maintained; failure to construct a five-stage decontamination enclosure system; failure to provide a proper viewing port; failure to operate negative air equipment; and failure to update the notification when the amount of RACM to be abated was found to be inaccurate.

Action: The Respondent has agreed to: henceforth properly update notifications when changes occur; have a licensed supervisor on-site and in the contained area while conducting asbestos abatement activities; properly construct a five-stage decontamination enclosure system with functional drainage system; operate negative air machines as required while conducting asbestos abatement activities; install and maintain critical barriers and a viewing port; and pay a civil penalty in the amount of eight thousand dollars (**\$8,000.00**), payable in two payments of three thousand dollars (\$3,000.00) and one payment of two thousand dollars (\$2,000.00).

30)	<u>Order Type and Number:</u>	Consent Order 06-035-A
	<u>Order Date:</u>	July 20, 2006
	<u>Respondent:</u>	Fibertech Columns, Inc.
	<u>Facility:</u>	Fibertech Columns, Inc.
	<u>Location/Mailing Address:</u>	P.O. Box 8 Pendleton, SC 29072
	<u>County:</u>	Anderson
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	TV-0200-0095
	<u>Violations Cited:</u>	South Carolina Air Pollution Control Regulation 61-62.1, Section II, <u>Permit Requirements</u> ,

Summary: Fibertech Columns, Inc., (“Respondent”), located in Pendleton, South Carolina, produces aesthetically designed architectural fiberglass products. The Respondent has violated State regulations in that it failed to obtain Department-required construction permits prior to installing and operating a resin chopper gun.

Action: The Respondent has agreed to request and obtain Department-required construction permits or exemptions prior to adding new sources of air contaminants. In addition the Respondent has agreed to pay a civil penalty in the amount of four thousand dollars **(\$4,000.00)**.

31) Order Type and Number: Consent Order 06-038-A
Order Date: July 26, 2006
Respondent: **A To Z Coatings & Insulation, Inc.**
Facility: A To Z Coatings & Insulation, Inc.
Location/Mailing Address: 2551 Salem Road
Scranton, SC 29591
County: Horry
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: South Carolina Air Pollution Control
Regulation 61-86.1, Section IV.C.1 and 2, and Section V.D.1.a. (5), D.2.g.
and h., and D.3.a. (7)

Summary: A To Z Coatings & Insulation, Inc. (Respondent), is a licensed asbestos abatement contractor. The Respondent violated State regulations as follows: failed to ensure that every worker performing abatement work had a current initial or refresher training certificate present at the project site; failed to ensure that every worker performing abatement work had a clear, legible, and valid personnel license at the project site; failed to maintain leak-tight critical barriers for the duration of the abatement; failed to ensure that no asbestos-containing material (ACM) from within the work area was permitted outside the work area except in sealed leak-tight containers, and that no visible residue was allowed to appear on the outside of waste containers; and failed to remove remaining polyethylene critical barriers at the completion of the project.

Action: The Respondent has agreed to: ensure that every worker performing abatement work has a current initial or refresher training certificate present at the project site; maintain leak-tight critical barriers for the duration of the abatement; permit no ACM from within the work area outside the work area except in sealed leak-tight containers, and allow no visible residue to appear on the outside of waste containers; remove any remaining polyethylene critical barriers following abatement; dispose of asbestos waste at a landfill approved or permitted to accept asbestos waste; and pay a civil penalty in the amount of seven thousand dollars **(\$7,000.00)** payable in four (4) equal payments of one thousand seven hundred-fifty dollars (\$1,750.00) each. The first payment is due no later than August 25, 2006.

32) Order Type and Number: Consent Order 06-039-A
Order Date: July 27, 2006

<u>Respondent:</u>	M. L. Corley & Sons Sawmill, Inc.
<u>Facility:</u>	M. L. Corley & Sons Sawmill, Inc.
<u>Location/Mailing Address:</u>	4836 Sunset Blvd. Lexington, SC 29072
<u>County:</u>	Lexington
<u>Previous Orders:</u>	02-091-A (\$12,000.00)
<u>Permit/ID Number:</u>	1560-0068
<u>Violations Cited:</u>	Consent Order 02-091-A and S. C.
Code Ann. § 48-1-110(d)	

Summary: M. L. Corley & Sons Sawmill, Inc. (Respondent), operates a wood-processing facility that produces bark, sawdust, wood chips, and lumber. The Respondent violated a Consent Order and State statutes as follows: failed to conduct a source test for particulate matter (PM) emissions from its wood-waste energy system (unit) no later than February 11, 2003; failed to conduct a source test for PM emissions from the unit every two years; failed to submit operational ranges for its baghouse to the Department for approval within 180 days of permit issuance; and failed to submit to the Department semiannual reports of incidences of operation outside of operational ranges of the baghouse or statements indicating no incidences occurred.

Action: The Respondent has agreed to: submit the results of a Department-approved source test conducted on June 27, 2006, for PM emissions from the unit; and pay a civil penalty in the amount of thirteen thousand dollars (**\$13,000.00**).

33)	<u>Order Type and Number:</u>	Consent Order 06-040-A
	<u>Order Date:</u>	July 27, 2006
	<u>Respondent:</u>	Atchison, Inc.
	<u>Facility:</u>	Atchison, Inc.
	<u>Location/Mailing Address:</u>	P.O. Box 1811 Spartanburg, SC 29304
	<u>County:</u>	Spartanburg
	<u>Previous Orders:</u>	01-090-A (\$9,000.00)
	<u>Permit/ID Number:</u>	N/A
	<u>Violations Cited:</u>	U.S. EPA 40 CFR 61.145(b), and South Carolina Air Pollution Control Regulation 61-86.1, Section XIII, <u>Standards for Demolition</u>

Summary: Atchison, Inc., ("Respondent"), located in Spartanburg, South Carolina, is a general contractor. The Respondent has violated Federal and State regulations in that it failed to provide the Department with proper notification when a previously notified start or completion date had been revised or modified.

Action: The Respondent has agreed to adhere to all applicable required notification and work practice requirements as prescribed by South Carolina Air Pollution Control Regulation 61-86.1, Section XIII, Standards for Demolition. In addition the Respondent has agreed to pay a civil penalty in the amount of six thousand dollars **(\$6,000.00)**.

34) Order Type and Number: Consent Order 06-041-A
 Order Date: July 27, 2006
 Respondent: **Leigh Fibers, Inc.**
 Facility: Leigh Fibers, Inc.
 Location/Mailing Address: P.O. Box 1132
 Spartanburg, South Carolina 29306
 County: Spartanburg
 Previous Orders: 06-026-W (\$2K)
 Permit/ID Number: CM-2060-0084
 Violations Cited: U.S. EPA Regulations 40 CFR 52.21
 Prevention of Significant Deterioration of Air Quality and South Carolina
 61-62.5, Standard 7, Prevention of Significant Deterioration, and South
 Carolina 61-62.1, Permit Requirements, and S.C. Code Ann. 48-1-110(d)

Summary: Leigh Fibers, Inc. (Respondent), located in Spartanburg, South Carolina, reprocesses mixed textile wastes such as cotton/polyester blends and cleans low-grade cotton. The Respondent violated U.S EPA Regulations and South Carolina Air Pollution Control Regulations for failure to: either accept Federally enforceable limits to avoid the permitting requirements of PSD or complete a PSD review prior to installing and operating a new shredding line; apply for and obtain required Department-issued permits prior to installing and operating its new shredding line; establish operational ranges for its baghouses; maintain complete records of daily pressure drop readings; conduct weekly operation and maintenance checks for all baghouse cleaning systems and dust collection hoppers; document daily visual emission checks and routine maintenance on cyclone control devices; and document weekly operation and maintenance on ductwork.

Action: The Respondent has agreed to: henceforth apply for and obtain required Department-issued permits prior to installing, operating, or modifying any source of air contaminants; adhere to all applicable requirements of its Conditional Major Air Quality Permit; and pay a civil penalty in the amount of eleven thousand dollars **(\$11,000.00)**.